

**13178. Misbranding of oil. U. S. v. Frank Arminante (Victory Imported & Domestic Cheese & Oil Co.).** Plea of guilty. Fine, \$500. Sentence of 3 months in jail. (F. D. C. No. 23222. Sample Nos. 12663-H to 12666-H, incl.)

**INFORMATION FILED:** March 3, 1948, Southern District of New York, against Frank Arminante, trading as the Victory Imported & Domestic Cheese & Oil Co., New York, N. Y.

**ALLEGED SHIPMENT:** On or about March 19, 1946, from the State of New York into the State of Massachusetts.

**LABEL, IN PART:** (Cans) "One Gallon Roberta Brand Olio Puro The purity of this oil is guaranteed and we recommend it for all table uses," or "Puglia Brand Super Fine Pure Oil."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the food was in package form and failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than the declared "One Gallon.")

**DISPOSITION:** April 8, 1948. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$500 and sentenced the defendant to 3 months in jail.

**13179. Adulteration and misbranding of oil. U. S. v. 10 Cases \* \* \* (and 1 other seizure action).** (F. D. C. Nos. 24130, 24131. Sample Nos. 19211-K, 19212-K.)

**LIBELS FILED:** November 28, 1947, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about October 22, 1947, by G. Mauro, from Pittsburgh, Pa.

**PRODUCT:** 15 cases, each containing 6 1-gallon cans, of oil at Akron, Ohio.

**LABEL, IN PART:** (Main panels) "A Pure Blend of 80% Cotton Seed Oil, Corn Oil and 20% Olive Oil. Keystone Grocery Distributing Co. of Pittsburgh, Inc. Pittsburgh, Pa.; (side panels) "Fortebraccio Brand E' Prodotto Dalla Migliore Qualita' D'Olio: Ed E' Preparato Con Massime Cure E' Specialmente Raccomandato: Per Cucinare Cibi Squisiti, Per Le Insalate E Per Fritture."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), an artificially flavored mixture of cottonseed and corn oils with little, if any, olive oil had been substituted for 80% cottonseed oil and corn oil and 20% olive oil; and, Section 402 (b) (4), artificial flavoring had been added to the article so as to make it appear to contain olive oil, and therefore to be better and of greater value than it was.

Misbranding, Section 403 (a), the label statement "A Pure Blend of 80% Cotton Seed Oil, Corn Oil and 20% Olive Oil" was false and misleading; and, Section 403 (f), the label of the article contained representations in Italian, and the information required by law, i. e., an accurate statement of the quantity of the contents and the common or usual name of each ingredient, did not appear on the label in Italian.

**DISPOSITION:** March 16 and April 23, 1948. Default decrees of condemnation and destruction.

**13180. Misbranding of mineral oil. U. S. v. 4 Drums \* \* \*. (F. D. C. No. 21714. Sample No. 50106-H.)**

**LIBEL FILED:** November 19, 1946, Western District of Texas; amended libel filed March 21, 1947.

**ALLEGED SHIPMENT:** On or about May 1 and July 2, 1946, by the Frank Pew Oil Co., Cleveland, Ohio.

**PRODUCT:** 4 55-gallon drums of mineral oil at San Antonio, Tex.

**LABEL, IN PART:** "Ramol No. 350."

**NATURE OF CHARGE:** Misbranding, Section 403 (b), the product was mineral oil and was offered for sale under the name of another food, salad oil; and, Section 403 (i) (1), the label failed to bear the common or usual name of the food.

**DISPOSITION:** June 27, 1947. Consent decree of forfeiture and destruction.

**13181. Adulteration and misbranding of french dressing. U. S. v. 25 Cases \* \* \*. (F. D. C. No. 21594. Sample No. 44630-H.)**

**LIBEL FILED:** November 6, 1946, District of Arizona.

**ALLEGED SHIPMENT:** On or about May 10, 1946, by the Barra Co., from Los Angeles, Calif.

**PRODUCT:** 25 cases, each containing 24 1-pint bottles, of french dressing at Phoenix, Ariz.

**LABEL, IN PART:** "Barra's Concentrated French Dressing \* \* \* Made of wine, vinegar, honey, salt, spices, karaya or tragacanth."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, oil, had been omitted; and, Section 402 (b) (2), a product containing no oil had been substituted for french dressing.

Misbranding, Section 403 (a), the label statement "French Dressing" was false and misleading.

**DISPOSITION:** September 12, 1947. Default decree of condemnation and destruction.

**13182. Adulteration and misbranding of french dressing. U. S. v. 10 Cases \* \* \*. (F. D. C. No. 20393. Sample No. 43968-H.)**

**LIBEL FILED:** July 18, 1946, Northern District of Texas.

**ALLEGED SHIPMENT:** On or about June 19, 1946, by the Barra Co., from Los Angeles, Calif.

**PRODUCT:** 10 cases, each containing 24 1-pint bottles, of french dressing at Fort Worth, Tex.

**LABEL, IN PART:** "Barra's Concentrated French Dressing \* \* \* Made of wine, vinegar, honey, salt, spices, karaya or tragacanth."

**NATURE OF CHARGE:** Adulteration, Section, 402 (b) (1), a valuable constituent, oil, had been omitted; and, Section 402 (b) (2), a product containing no oil had been substituted for french dressing.

Misbranding, Section 403 (a), the label designation "Concentrated French Dressing" was false and misleading.

**DISPOSITION:** On February 13, 1947, the case was transferred to the Northern District of California for trial. On September 12, 1947, a default decree of condemnation and destruction was entered.

**13183. Adulteration of salad dressing. U. S. v. 50 Cases \* \* \* (and 15 other seizure actions). (F. D. C. Nos. 20802, 20838, 20839, 20861, 20862, 20887, 20986, 21019, 21020, 21045, 21121, 21123, 21125, 21853, 22628, 22679. Sample Nos. 8928-H, 9100-H, 11891-H, 53913-H, 54061-H, 57405-H to 57408-H, incl., 57414-H to 57416-H, incl., 60428-H, 60429-H, 60727-H, 60729-H, 64201-H, 64387-H, 64392-H, 64393-H, 64400-H, 74462-H.)**

**LIBELS FILED:** Between September 3, 1946, and March 21, 1947, Northern District of New York, Western District of New York, District of Rhode Island, District of Maine, and Northern District of Ohio.

**ALLEGED SHIPMENT:** Between the approximate dates of July 23 and October 29, 1946, by the Suzanne Processed Oil Co., from Boston, Mass.

**PRODUCT:** Salad dressing. 310 dozen 8-ounce bottles, 898½ dozen 1-pint bottles, 1,092½ dozen 1-quart bottles, 251 dozen ½-gallon bottles, and 3¼ dozen 1-gallon bottles, in various amounts, at Syracuse, Camillus, Albany, Rochester, Schenectady, Utica, and Scotia, N. Y.; Providence, Pawtucket, and West Warwick, R. I.; Houlton, Maine; and Toledo, Ohio.

**LABEL, IN PART:** "Suzanne Merry-Maise Ingredients: U. S. P. Mineral Oil, Eggs, Salt, Sugar, Spices."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (1), the product contained added mineral oil, a deleterious substance, which may have rendered it injurious to health.

**DISPOSITION:** On August 19, 1947, the Suzanne Processed Oil Co. having appeared as claimant in certain of the cases, the action at Toledo was tried to the court; judgment was rendered for the Government, and the product was condemned and ordered destroyed. Between the dates of August 5, 1946, and September 6, 1947, decrees of condemnation and destruction were entered in the remaining actions, either by consent of the claimant or by default.